

**TITLE 777. STATEWIDE VIRTUAL CHARTER SCHOOL BOARD  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

**PROPOSED RULES:**

**Subchapter 1. General Provisions**

**777:1-1-1. Purpose [NEW]**

**777:1-1-3. Authority, interpretation, and severability of rules [NEW]**

**777:1-1-4. Organization [NEW]**

**777:1-1-5. Time computation [NEW]**

**777:1-1-6. Records requests [NEW]**

**777:1-1-7. Procedures for declaratory rulings [NEW]**

**777:1-1-8. Petitions for adoption, amendment, or repeal of a rule [NEW]**

Summary of Public Comment	Agency Response
Commenter suggests inserting the word "in" between the words "state" and "accordance" and changing "School" to "Schools" in 777:1-1-4(a) so that the line reads "As the sole entity authorized to sponsor statewide virtual charter school programs in this state <b>in</b> accordance with the provisions of the Oklahoma Charter Schools Act..."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests inserting the word "Board" after "School" in 777:1-1-4(b) and (c) to read "the Statewide Virtual Charter School <b>Board</b> may maintain such staff..." and "The principal office of the Statewide Virtual Charter School <b>Board</b> shall be..."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests changing the word "all" in 777:1-1-4 to "any" to clarify that statewide virtual charter schools are also subject to other agency regulations to which charter schools established under the Oklahoma Charter Schools Act are subject.	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests changing the words "are available to for public" in 777:1-1-6(a) to "shall be made available promptly to the public" so that the line reads "All files, records, minutes, proceedings, rules, documents, decisions, opinions, written statements of policy, and written materials.... <b>shall be made</b> available <b>promptly</b> for public inspection upon reasonable notice to the records custodian..."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>

Commenter suggests changing fourth line in 777:1-1-6(b) from "were" to "where" so that the line reads "at the location <b>where</b> the records are housed."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests changing the fourth line in 777:1-1-6(d) to read "to ensure <b>that</b> records requests to the Statewide Virtual Charter School..."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests changing the first line in 777:1-1-6(d)(2) from "which may be" to "and the form may be..."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests adding "and prompt" to the first line of 777:1-1-6(d)(4) so that the line reads " Within a <b>prompt</b> and reasonable time of the date of receipt of the request..."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests changing the word from "timely" to "promptly" in the first line of 777:1-1-6(d)(5).	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests clarifying the second line of 777:1-1-6(d)(5)(C) which reads "necessary to identify and/or individual records of persons" as it appears to be missing words.	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests changing the words in the first line of 777:1-1-6(d)(6) from "records request" to "records requests."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests inserting the word "of" between "days" and "the" in 777:1-1-6(d)(7) so that the line reads " Any request not confirmed by receipt of the requisite search fee within thirty (30) calendar days <b>of</b> the written notification..."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter states "the Open Records Act permits requesters to seek inspection of records rather than copies for which they would incur no copying fees. Please clarify this option in the rules."	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>
Commenter suggests changing the words "Whether records requested includes..." to "Whether the records request includes..." in 777:1-1-6(e)(3).	<ul style="list-style-type: none"> <li>The agency has implemented the proposed change.</li> </ul>

<p>Commenter suggests changing the word "may" to "shall" in 777:1-1-6(f)(1) so that the language reads "However, Requesters <del>may</del> <u>shall</u> be exempted from search fees when the release of the requested records is in the public interest.."</p>	<ul style="list-style-type: none"> <li>• The agency has implemented the proposed change.</li> </ul>
<p>Commenter suggests changing the word "records" to "record" in 777:1-1-6(f)(2).</p>	<ul style="list-style-type: none"> <li>• The agency has implemented the proposed change.</li> </ul>
<p>Commenter suggests changing the word "country" to "county" in the fourth line of 777:1-1-6(f)(2)(C) so that the line reads "The rates will be posted at the Oliver Hodge Building and filed with the <b>county</b> clerk as required by law."</p>	<ul style="list-style-type: none"> <li>• The agency has implemented the proposed change.</li> </ul>
<p>Commenter asks why fees are made payable to SDE rather than the Statewide Virtual Charter School Board in 777:1-1-6(f)(2)(D).</p>	<ul style="list-style-type: none"> <li>• The language was inserted because the OSDE Office of Financial Services currently handles accounting for the Board, and 70 O.S. § 3-145.1(F) directs the SDE to continue to provide staff support to the SVCSB until 12/31/14. Nevertheless, to avoid having to amend the rule again, the agency has removed the language in the proposed rule specifying to whom the check must be made out.</li> </ul>
<p>Commenter suggests amending wording in 777:1-1-7(b)(4)(A) and (B) to clarify what petitioner is supposed to do with the required documentation (e.g., attach to petition).</p>	<ul style="list-style-type: none"> <li>• The agency has implemented the proposed change.</li> </ul>
<p>Commenter suggests changing the language in the third line of 777:1-1-7(e) from "a copy of which shall be mailed" to "and a copy shall be mailed."</p>	<ul style="list-style-type: none"> <li>• The agency has implemented the proposed change.</li> </ul>
<p>Commenter suggests adding "amend or repeal" after "promulgate" in the second line of 777:1-1-8(b)(1)(C) so the line reads "The petition shall include citations to all statutory provisions, if any, which provide authority for the Board to promulgate, <b>amend, or repeal</b> the rule..."</p>	<ul style="list-style-type: none"> <li>• The agency has implemented the proposed change.</li> </ul>
<p>Commenter suggests changing the words "considered for adoption, provided that the process for rule adoption shall be conducted..." to "considered for adoption, <b>amendment, or repeal</b>, provided that the process for rule adoption, <b>amendment or</b></p>	<ul style="list-style-type: none"> <li>• The agency has implemented the proposed change.</li> </ul>

<b>appeal</b> shall be conducted..."	
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